

TEXAS RACING COMMISSION
MEETING

11:32 a.m.
Tuesday,
May 18, 2021

VIA GOTOMEETING

COMMISSIONERS PRESENT:

JOHN T. STEEN III, Chair
RONALD F. EDERER, Vice-Chair
TIM KLEINSCHMIDT
STEVEN P. MACH
ROBERT C. PATE
ARVEL "A.J." WAIGHT, JR.

ON THE RECORD REPORTING
(512) 450-0342

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for funding from the Horse Industry Escrow Account approved by the executive director

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P R O C E E D I N G S

CHAIRMAN STEEN: At this time, I'd like to call today's meeting of the Texas Racing Commission to order. The time is 11:32 a.m.

Before we begin, I want to remind everyone that it will be extremely important to keep your device on mute until you are called upon, and put your device back on mute afterwards. If you have not previously submitted your intention to comment on any particular agenda item, you will be given the opportunity at the appropriate time.

You can send an email to info@TxRC.Texas.Gov -- again, that's info@TxRC.Texas.Gov at any time to request to comment. Please be specific about which item you want to comment on.

Robert, could you please call the roll?

MR. ELROD: Yes, sir.

Chairman Steen?

CHAIRMAN STEEN: Present.

MR. ELROD: Commissioner Ederer?

COMMISSIONER EDERER: Present.

MR. ELROD: Commissioner Martin?

(No response.)

MR. ELROD: Commissioner McNabb?

(No response.)

MR. ELROD: Commissioner Moore?

1 (No response.)

2 MR. ELROD: Commissioner Pate?

3 COMMISSIONER PATE: Present.

4 MR. ELROD: Commissioner Waight?

5 COMMISSIONER WAIGHT: Present.

6 MR. ELROD: Commissioner Kleinschmidt?

7 (No response.)

8 MR. ELROD: Commissioner Mach?

9 COMMISSIONER MACH: Present.

10 MR. ELROD: We have five commissioners, we have
11 a quorum.

12 CHAIRMAN STEEN: Thanks, Robert.

13 We'll move on to item II. Public comment.

14 Robert, is anyone signed up to speak?

15 MR. ELROD: No, sir.

16 CHAIRMAN STEEN: We'll move on to item III.

17 General Business, A.1. Budget and finance.

18 Gerald Dube, chief financial officer, will you
19 please give us the budget and finance report?

20 MR. DUBE: Good morning, Chairman Steen and
21 commissioners. For the record, my name is Gerald Dube
22 with the Texas Racing Commission.

23 On pages 4 through 8 of your agenda packet are
24 the agency's fiscal year operating budget documents with
25 revenue collection and expenditures reported through the

1 end of March. With 58.3 percent of the year completed,
2 the agency collected approximately \$3.4 million, or 59
3 percent of projected annual operating revenue, and
4 expended \$1.5 million, or approximately 43.6 percent of
5 budgeted agency operating expenditures.

6 In addition to this, \$545,776 was expended out
7 of unappropriated funds for the agency's share of employee
8 benefits and retiree health care costs. Simulcast
9 supplemental fee revenues from the racetracks from
10 September through March totaled \$1.2 million. In
11 addition, the Commission collected supplemental fees for
12 the first quarter of fiscal year '21 totaling \$50,966.

13 If you have any questions, I'll be happy to try
14 and answer them.

15 CHAIRMAN STEEN: Commissioners, any questions?

16 (No response.)

17 CHAIRMAN STEEN: Thank you, Gerry.

18 MR. DUBE: Great. I'll pass it on to Curley.

19 CHAIRMAN STEEN: The next item is III.A.2.
20 report on Horse Industry Escrow Account. Curley, director
21 of Pari-Mutuels, will present this report, and the next
22 item III.A.3.

23 MR. TRAHAN: Yes, sir. Thank you, Mr.
24 Chairman.

25 Good morning, commissioners. For the record, I

1 am Curley Trahan, direct of Pari-Mutuels for the agency.
2 I will be providing a brief status report on the Horse
3 Industry Escrow Account, a summary of which is provided on
4 page 9 of your meeting materials.

5 This report reflects only the 30 percent
6 portion of the HIEA designated for events furthering the
7 horse industry as the 70 percent portion designated for
8 purses is paid out to the racetracks each month. The
9 account has received eight monthly deposits from the
10 Comptroller for fiscal year 2021 September through April
11 agriculture tax, 70 percent of which is allocated to
12 purses. The remaining 30 percent, along with the 30
13 percent portion of the escrow funds earned from the one
14 operating greyhound track, total just over \$5.03 million.

15 The account has disbursed approximately \$4.5
16 million for events thus far for fiscal year 2021. The
17 current account balance is \$1,788,688, which includes a
18 carryover of just over \$1.25 million from fiscal year
19 2020. There is just over \$1.9 million in previously
20 approved events that have not yet been disbursed and there
21 is approximately \$1.66 million in additional requests that
22 will be considered later in this meeting.

23 I'd be happy to answer any questions.

24 CHAIRMAN STEEN: Commissioners, any questions?

25 (No response.)

1 CHAIRMAN STEEN: Thank you, Curley. Do you
2 want to proceed to the next?

3 MR. TRAHAN: Yes, sir. Thank you.

4 In your meeting materials, commissioners, on
5 pages 10 through 12 is a comparison report on wagering
6 statistics for the period of January through March 2021
7 versus the same period in 2020. The report shows that
8 total wagering activities at the greyhound racetracks
9 decreased by 75.95 percent, equating to reduced handle of
10 approximately \$7.05 million.

11 Total wagering activities at the horse
12 racetracks showed an increase of 27.19 percent for the
13 period, as compared to 2020. This increase represents
14 approximately \$28.21 million in additional handle.

15 Overall, the report shows that total wagers
16 placed in Texas decreased by approximately \$3.3 million,
17 representing a 6.18 percent decline from the previous
18 year, while total wagers placed on Texas races showed an
19 increase of just over \$24.39 million, or 38.68 percent.
20 While the on-track categories continue to show handle
21 declines, significant increases in total handle are being
22 recognized in the export category.

23 This concludes my report, and I'd be happy to
24 answer any questions.

25 COMMISSIONER EDERER: I have a question.

1 MR. TRAHAN: Yes, sir.

2 COMMISSIONER EDERER: Do the racetracks make
3 any money off of the export?

4 MR. TRAHAN: The racetracks make the simulcast
5 fee, which is approximately 4 to 5 percent, depending on
6 the site that's wagering on them. It's negotiable per
7 their contract, but the average is probably between 4 and
8 5 percent of what the racetrack makes.

9 Of that percentage, 37 percent is paid to the
10 THP for purses, so the racetrack makes approximately about
11 2.5 percent of total handle for their revenue.

12 CHAIRMAN STEEN: Any other questions,
13 commissioners?

14 (No response.)

15 CHAIRMAN STEEN: Thank you, Curley.

16 MR. TRAHAN: Thank you, sir.

17 CHAIRMAN STEEN: We'll move on to item III.A.4.
18 Enforcement.

19 Jim Blodgett, would you please give us the
20 report? I actually don't see you there. There you are.

21 MR. BLODGETT: Thank you, Mr. Chairman.

22 Good morning, commissioners. For the record,
23 I'm Jim Blodgett, the director of Investigations for the
24 Texas Racing Commission. Your enforcement report is found
25 on page 13 of your packet this morning.

1 Commissioners, Sam Houston Race Park's 2021
2 Thoroughbred Meet started on January 8 and ended on April
3 3. The chart within your handout summarizes the
4 enforcement activities adjudicated at Sam Houston within
5 this meet.

6 The enforcement summary is highest within the
7 category of contraband seizure, which includes items such
8 as needles, syringes, injectable, and unlabeled
9 medications. The category of human drug violations as
10 related to licensees using controlled substances is also
11 relatively high in this report.

12 Sam Houston Race Park's Quarter Horse Meet
13 started on April 23 and is scheduled to end on June 12.
14 Lone Star Park's Thoroughbred Meet started on April 22 and
15 will end on July 11. Currently, Retama Park, Gillespie
16 County and Gulf Coast Racing are conducting simulcast
17 operations. Valley Race Park has not yet resumed
18 simulcast operations at this time.

19 And that would conclude the enforcement report
20 this morning.

21 CHAIRMAN STEEN: Thank you, Jim.

22 Commissioners, any questions?

23 (No response.)

24 CHAIRMAN STEEN: If not, we'll move on to the
25 next item which is III.A.5. Horse injury report.

1 Chuck, would you please give us this report?

2 MR. TROUT: Thank you, sir.

3 Good morning, Mr. Chairman, commissioners. For
4 the record, I'm Chuck Trout, executive director of the
5 agency, and this is an update on where we stand with
6 equine fatalities for the calendar year 2021.

7 Sam Houston Race Park completed its 40-day
8 Thoroughbred Meet with six fatalities, one of which was
9 race-related. They have since run eleven days of their
10 scheduled 23-day Quarter Horse Meet with one fatality that
11 was also not race-related. With 4,465 starts, SHRP's
12 race-related injury rate per 1,000 starts stands at 0.22.

13 According to Lone Star Park, they have
14 completed 16 days of their scheduled 48-day Thoroughbred
15 meet. They have had three fatalities, two of which were
16 race-related. With 1,068 starts, that gives them a
17 fatality rate of 1.87 per 1,000 starts.

18 Overall, Texas currently has a fatality rate of
19 0.54 fatalities per 1,000 starts. And just for your
20 information, we're always trying to shoot for being below
21 1.0. We are about in the same position now as we were
22 this time last year.

23 CHAIRMAN STEEN: Commissioners, do you have any
24 questions?

25 (No response.)

1 CHAIRMAN STEEN: Thank you, Chuck.

2 MR. TROUT: Thank you, sir.

3 CHAIRMAN STEEN: We'll move on to proceedings
4 on rules. Agenda item IV.A.1. Discussion and possible
5 action to adopt amendments to Section 303.92, Thoroughbred
6 Rules.

7 Devon, would you please present this item?

8 MS. BIJANSKY: Yes, sir. Commissioners, good
9 morning.

10 These amendments were proposed at your last
11 meeting at the request of the Texas Thoroughbred
12 Association. They would allow a breeder to receive a 100
13 percent breeder awards in a case where a mare dies after
14 foaling but before being bred back, rather than the 50
15 percent provided the current rules.

16 The amendments that were proposed begin on page
17 19 of your materials, and we received no comments in
18 response to this proposal.

19 CHAIRMAN STEEN: Thank you, Devon.

20 Robert, is anyone signed up to speak on this
21 item?

22 MR. ELROD: No, sir.

23 CHAIRMAN STEEN: Commissioners, do you have any
24 questions?

25 COMMISSIONER EDERER: The staff recommendation

1 is to adopt. Correct?

2 MS. BIJANSKY: Yes, sir.

3 COMMISSIONER EDERER: I make a motion that we
4 adopt.

5 COMMISSIONER PATE: Second.

6 CHAIRMAN STEEN: Motion made by Vice Chair
7 Ederer.

8 Commissioner Pate, was that you on the second?

9 COMMISSIONER PATE: Yes, sir.

10 CHAIRMAN STEEN: Commissioner Pate with the
11 second.

12 Any further discussion?

13 (No response.)

14 CHAIRMAN STEEN: We'll take this up for a vote.
15 All those in favor please signify by saying aye.

16 (A chorus of ayes.)

17 CHAIRMAN STEEN: Any opposed?

18 (No response.)

19 CHAIRMAN STEEN: Motion carries.

20 Next is agenda item IV.A.2. Discussion and
21 possible action to adopt amendments to Section 309.168,
22 Hazardous Weather.

23 Devon, will you please present this item as
24 well?

25 MS. BIJANSKY: Yes, sir.

1 These amendments, which are in your materials
2 starting on page 21, were proposed at the recommendation
3 of staff to modify the current hazardous weather rule to
4 more closely align with the Association of Racing
5 Commissioners International's model rule.

6 In particular, the language about delays in the
7 event of lightning would change from lightning being
8 detected within six miles to within eight miles, and
9 racing would not resume until 30 minutes have passed since
10 the last incident of lightning within eight miles.

11 There are no comments in response to this
12 proposal either.

13 CHAIRMAN STEEN: Thank you, Devon.

14 Robert, is anyone signed up to speak on this
15 item?

16 MR. ELROD: No, sir.

17 CHAIRMAN STEEN: Commissioners, any questions?

18 (No response.)

19 CHAIRMAN STEEN: If no further discussion, I'll
20 entertain a motion to propose the amendments to Section
21 309.168.

22 COMMISSIONER MACH: I'll make the motion.

23 CHAIRMAN STEEN: Motion made by Commissioner
24 Mach.

25 COMMISSIONER EDERER: Second.

1 CHAIRMAN STEEN: Seconded by Vice Chair Ederer.
2 Any further discussion?

3 (No response.)

4 CHAIRMAN STEEN: We'll take this up for a vote.
5 All those in favor please signify by saying aye.

6 (A chorus of ayes.)

7 CHAIRMAN STEEN: Any opposed?

8 (No response.)

9 CHAIRMAN STEEN: Motion carries.

10 Next is agenda item IV.B. Discussion and
11 possible action to propose amendments to Section 321.321,
12 Fortune Pick (n).

13 Devon, will you please present this item?

14 MS. BIJANSKY: Yes, sir.

15 This item begins on page 23 of your
16 materials. These amendments were requested by Lone Star
17 Park to allow for a unique winning ticket option along
18 with the current unique winning wager option, and some
19 additional flexibility for racing offices and how they
20 offer this wager. And the draft beginning on page 27 is
21 before you for possible proposal.

22 CHAIRMAN STEEN: Thank you, Devon.

23 Robert, is anyone signed up to speak on this
24 item?

25 MR. ELROD: No, sir.

1 CHAIRMAN STEEN: Commissioners, any questions?

2 (No response.)

3 CHAIRMAN STEEN: If there's no discussion, I'll
4 entertain a motion to propose the amendments to Section
5 321.321.

6 COMMISSIONER MACH: I'll make the motion.

7 CHAIRMAN STEEN: Motion made by Commissioner
8 Mach.

9 COMMISSIONER PATE: I'll second.

10 CHAIRMAN STEEN: Commissioner Pate on the
11 second there. Any further discussion?

12 (No response.)

13 CHAIRMAN STEEN: We'll take this up for a
14 vote. All those in favor please signify by saying aye.

15 (A chorus of ayes.)

16 CHAIRMAN STEEN: Any opposed?

17 (No response.)

18 CHAIRMAN STEEN: Motion carries.

19 Next item is agenda item V.A. Discussion and
20 possible action to designate an application period for
21 race dates.

22 Chuck Trout, will you present the item?

23 MR. TROUT: Can you hear me? I'm having
24 trouble understanding. Can you hear me?

25 CHAIRMAN STEEN: We can hear loud and clear.

1 Thank you.

2 MR. TROUT: Can you please repeat?

3 CHAIRMAN STEEN: Could you please mute caller
4 6, Robert?

5 MR. ELROD: Yes, sir.

6 CHAIRMAN STEEN: We are on, Chuck, V.A.
7 Discussion and possible action to designate an application
8 period for race dates under 16 TAC 303.41.

9 MR. TROUT: I wasn't prepared to address this;
10 I thought someone else was going to address it. I'm
11 sorry.

12 MS. BIJANSKY: I can take it.

13 Commissioners, this item is to open an
14 application period for tracks to apply for race dates for
15 the period from January 1, 2022 through August 31, 2023.
16 Staff is recommending that the application period open on
17 May 31 and close on July 2.

18 CHAIRMAN STEEN: Thank you, Devon.

19 Robert, is anyone signed up to speak?

20 MR. ELROD: No, sir.

21 For the record, I just want to point out that
22 Commissioner Kleinschmidt is here with us now.

23 CHAIRMAN STEEN: Welcome, Commissioner
24 Kleinschmidt.

25 Commissioners, any questions on this item?

1 (No response.)

2 CHAIRMAN STEEN: If no further discussion, I'll
3 entertain a motion to designate an application period for
4 race dates.

5 COMMISSIONER MACH: I'll make the motion.

6 CHAIRMAN STEEN: Motion made by Commissioner
7 Mach.

8 COMMISSIONER EDERER: I'll second the motion.

9 CHAIRMAN STEEN: Second by Vice Chair Ederer.
10 Any further discussion?

11 (No response.)

12 CHAIRMAN STEEN: If not, we'll take this up for
13 a vote. All those in favor please signify by saying aye.

14 (A chorus of ayes.)

15 CHAIRMAN STEEN: Any opposed?

16 (No response.)

17 CHAIRMAN STEEN: Motion carries.

18 Next is agenda item V.B. Discussion and
19 possible action to approve Sam Houston Race Park's request
20 to add Quarter Horse race dates.

21 Ricky, I believe you'll be presenting this
22 item.

23 MR. WALKER: Good morning, commissioners. My
24 name is Ricky Walker, chief steward for the Texas Racing
25 Commission.

1 On May 6, 2021, Retama Park notified the
2 Commission that the significant damages to the facility
3 from the winter storms would not be repaired in time to
4 run their upcoming 20-day Quarter Horse meet.

5 Sam Houston Race Park reached out to Gillespie
6 County Fair, the Texas Quarter Horse Association, the
7 Texas Paint Horse Association, and the Texas Horsemen's
8 Partnership and got the approval of those affected parties
9 to run Retama Park's 20-day Quarter Horse dates on a
10 slightly modified schedule.

11 Sam Houston's request, the letters of approval
12 and the revised calendar can be found starting on page
13 36. As you see, the agenda item is worded for you to
14 approve the days in June and July. If you approve these
15 dates, then following this meeting, under Section
16 303.41(j), the executive director can approve the four
17 days in August.

18 I will be happy to answer any questions.

19 CHAIRMAN STEEN: Thank you, Ricky.

20 Robert, is anyone signed up to speak on this
21 item?

22 MR. ELROD: No, sir.

23 CHAIRMAN STEEN: Commissioners, do you have any
24 comments or questions?

25 COMMISSIONER MACH: I move approval of the date

1 changes.

2 CHAIRMAN STEEN: Motion by Commissioner Mach to
3 add Quarter Horse race dates in June and July, with the
4 understanding that Chuck will consider the August dates.

5 COMMISSIONER EDERER: I'll second the motion.

6 CHAIRMAN STEEN: Second by Vice Chair Ederer.
7 Any further discussion?

8 (No response.)

9 CHAIRMAN STEEN: If not, we'll take this up for
10 a vote. All those in favor please signify by saying aye.

11 (A chorus of ayes.)

12 CHAIRMAN STEEN: Any opposed?

13 (No response.)

14 CHAIRMAN STEEN: Motion carries.

15 Next is agenda item VI.A. Staff report on the
16 breed registry requests for funding from the Horse
17 Industry Escrow Account that were approved by the
18 executive director.

19 Devon, will you please present this item?

20 MS. BIJANSKY: Yes, sir.

21 On page 70 of your materials is a spreadsheet
22 of proposals that have been approved in the last several
23 weeks by the executive director from this current batch of
24 proposals for funding for events to further the horse
25 industry.

1 There are three events for the TQHA that have
2 been approved totaling \$111,200, two for the Thoroughbred
3 Association totaling \$38,710, 15 for the Paint Horse
4 Breeders Association totaling \$152,847, and one for the
5 Arabian Breeders Association in the amount of \$40,000.

6 CHAIRMAN STEEN: Commissioners, any questions?

7 (No response.)

8 CHAIRMAN STEEN: No action to be taken here.
9 We'll move on to agenda item VI.B. Discussion and possible
10 action to allocate funds in the Horse Industry Escrow
11 Account to horse breed registries for events to further
12 the horse industry.

13 Devon, would you please present this item as
14 well?

15 MS. BIJANSKY: Yes, sir.

16 The first proposal before you today is on page
17 71 of the materials. The first three are from the Texas
18 Quarter Horse Association.

19 The first is the 2021 Quarter Horse Meet at
20 Lone Star Park ATB Owners, Breeders, and Stallion
21 awards. This is a request for \$868,000, largely for prize
22 money and then additionally for advertising and some
23 miscellaneous expenses, and staff saw no issues with this
24 proposal.

25 Would you like me to go through all the Quarter

1 Horse items at once, or how would you like to do this?

2 CHAIRMAN STEEN: Unless Commissioners Pate or
3 Kleinschmidt see otherwise, I think that's fine.

4 MS. BIJANSKY: Next on page 76 is the 2021
5 Quarter Horse Meet at Gillespie County Fair, ATB Owners,
6 Breeders, and Stallion awards. This is \$50,500 for purses
7 and some software, and we saw no issues there.

8 And third is on page 80, the Lone Star Stakes
9 Program, \$350,000 for purse supplements, and we saw no
10 issues with that.

11 CHAIRMAN STEEN: Devon, do you want to take
12 these motions separately or should we just try to get
13 through and see if there's any questions and then take
14 them all at once? What do you recommend?

15 MS. BIJANSKY: Whichever you prefer.

16 CHAIRMAN STEEN: Well, let's keep going and
17 then we can see if there's a reason to take them
18 separately.

19 MS. BIJANSKY: Okay. On page 84 for the Paint
20 Horse Breeders Association is the Fort Worth Stockyards
21 Second Annual Cowgirl Gathering, \$130,000. This is \$9,000
22 for production costs, \$65,000 for prize money, \$14,000 for
23 contract labor, \$16,000 for equipment rental, and \$15,000
24 for educational speakers.

25 And then on page 88, the Lone Star 870 Battle

1 of the Breed Claiming Championship, \$60,000 for prize
2 money.

3 Next is on page 92 for the Arabian Breeders
4 Association, the Arabian Juvenile Stakes Night at Lone
5 Star Park, \$62,430. That's \$60,000 for prize money,
6 \$2,000 for advertising, \$30 for secretary time, and \$400
7 for audit.

8 Page 96, the Arabian Stakes Night at Lone Star
9 Park, \$63,430: \$1,000 for a suite for meet and greet,
10 \$60,000 for purses, \$2,000 for advertising, \$30 for
11 secretary time, and \$400 for the audit.

12 On page 100, the Arabian Stakes Night at Retama
13 Park, \$62,845: \$60,000 for prize money, \$2,000 for
14 advertising, \$400 toward the audit, \$444.66 for
15 miscellaneous office supplies.

16 On page 104, the Region 9 Arabian Horse
17 Association Show, this is \$3,250. \$2,250 is for
18 advertising of -- well, we'll get to that in a moment --
19 for advertising at the show. \$1,000 is for general
20 advertising and social media on the website throughout
21 2021.

22 Staff's concerns on this item were that it was
23 unclear what exactly that advertising at the show would be
24 for. And then additionally, the \$1,000 throughout the
25 year didn't seem to promote this event in particular or

1 necessarily any event.

2 I worked with Mr. Wilson on this. He provided,
3 I think, a draft advertisement of something that might be
4 used at the show that seemed to point to a future event,
5 but on the whole it remains unclear exactly what the
6 advertising is going to consist of.

7 So staff's recommendation on this would be to
8 consider recommending that Mr. Wilson resubmit this down
9 the road when it's a little clearer exactly what those
10 advertisements will be for and that they're tied to actual
11 events, rather than just advertising for Arabians or for
12 racing or something of that nature.

13 Next on page 108 is the Lone Star Arabian Horse
14 Club Show Series, that's \$9,500: \$3,750 for facility
15 rental and judge fees, \$500 for advertising, and since the
16 Horse Industry Escrow Account Committee considered this
17 item, he's revised it to add \$5,250 for prize money for
18 the five events that are under this proposal.

19 On page 112 is modification to the 2020 Sam
20 Houston Race Park ATB awards. This is \$4,300 as a
21 supplement to the, I believe it was \$30,000 that was
22 approved last year for Texas Bred Awards. Because there
23 were a few miscalculations of the amounts due to the
24 various winners, and so \$4,300 that should have gone to, I
25 think it was three winners out of that original pot.

1 That money was distributed across all the other
2 winners because those miscalculations basically led to
3 everyone receiving more than they should have. And so the
4 Arabian Breeders Association is requesting \$4,300 to cover
5 those errors.

6 Staff's concern there is that to the extent
7 that this was an error that the association made, it
8 should either be coming out of perhaps their own funds or
9 by recalculating everyone's winnings and recouping what
10 they can from the other winners to cover these amounts.
11 But it's really within your discretion to approve if you
12 choose to.

13 CHAIRMAN STEEN: Is that the final one, Devon?

14 MS. BIJANSKY: Yes.

15 CHAIRMAN STEEN: Okay. So I guess the staff
16 recommendation, there were two items there, one was on the
17 advertising and then one on the miscalculation. Can you
18 just restate those, if you don't mind?

19 MS. BIJANSKY: With regard to the Region 9
20 Arabian Horse Association Show on page 104, we would
21 recommend asking Mr. Wilson to resubmit this proposal when
22 maybe they have specific advertisements ready to submit to
23 establish that these are advertising events, rather than
24 advertising Arabian racing in general. And this would be
25 within the amount that Chuck would be able to consider and

1 approve.

2 And then on page 112, staff doesn't have a
3 recommendation, it's really within your discretion. But
4 our concern is that this is money coming out of public
5 funds to cover what's essentially a math error on the part
6 of the breed registry.

7 CHAIRMAN STEEN: Thank you.

8 Robert, is anyone signed up to speak here?

9 MR. ELROD: No, sir.

10 CHAIRMAN STEEN: Commissioners, any questions?

11 COMMISSIONER KLEINSCHMIDT: This is
12 Kleinschmidt. I would recommend approval of all of
13 applications except those two, the Region 9 Arabian where
14 there's some question on the advertising that may need a
15 resubmission, and the error in the calculation of winnings
16 in the Arabians that staff mentioned also. But I'd like
17 to go ahead and dispose of the rest of those if the group
18 sees fit and then possibly discuss those two first.

19 MR. WILSON: Can I have an opportunity to
20 address those?

21 CHAIRMAN STEEN: I think that's Mr. Wilson. So
22 let's go ahead and proceed with the motion which I think
23 is putting those two aside for a second, Mr. Wilson.

24 COMMISSIONER KLEINSCHMIDT: Okay. Then I will
25 put it in the form of a motion. I move we approve all of

1 the applications presented other than the Region 9 Arabian
2 that has a question concerning advertising, and the
3 Arabian request covering an error in the calculation of
4 purses.

5 MR. ELROD: Mr. Wilson, could you mute your
6 phone just for now?

7 MR. WILSON: I'm trying to do it. I can't
8 understand why --

9 CHAIRMAN STEEN: Motion made by Kleinschmidt.
10 Did we have a second?

11 COMMISSIONER MACH: Second.

12 CHAIRMAN STEEN: Second by Commissioner Mach.
13 If there's no further discussion, we'll take this up for a
14 vote. All those in favor please signify by saying aye.

15 COMMISSIONER PATE: Mr. Steen, I'd like to
16 speak to the motion, please.

17 CHAIRMAN STEEN: I'm sorry?

18 COMMISSIONER PATE: This is Robert Pate. I'd
19 like to ask a question concerning this motion. May I do
20 that?

21 CHAIRMAN STEEN: Sorry. Please do. Proceed.
22 I didn't hear you.

23 COMMISSIONER PATE: All right. I'm referring
24 back to page 9 of the materials and the demonstrated
25 deficit is a million, 770- of the projected account

1 balance if we approve these items. And I guess my
2 question to staff is, are the monies coming in going to be
3 sufficient to fully fund these and is the timing such that
4 it's going to work with respect to receipt of those funds
5 and the proposed disbursements?

6 MS. BIJANSKY: Yes. If you could scroll up a
7 little bit, Robert.

8 We are currently receiving about \$630,000 a
9 month -- can you scroll back down -- and the deficit if
10 all of these are approved is \$1.7-, \$1.8 million. So
11 within three months we'll have all of that in the account,
12 and these are being paid out over the next several
13 months. So there will be enough to cover them by the time
14 that they come up for payment.

15 COMMISSIONER PATE: Okay. So we will have
16 enough funds. Now, does that tap us out on the amount of
17 money that they would get out of their 30 percent for the
18 rest of the year, or is there still some left?

19 MS. BIJANSKY: The next three months would be
20 payments for May, June and July, so there would be one
21 more for August.

22 COMMISSIONER PATE: One more month, one more
23 \$630,000 month. Is that correct?

24 MS. BIJANSKY: I believe so. I haven't done
25 the math, but I assume that that \$630- was calculated to

1 stretch out over the 12 months.

2 COMMISSIONER PATE: Okay. All right. Thank
3 you.

4 CHAIRMAN STEEN: So I think we had the vote.

5 COMMISSIONER PATE: I would vote in favor of
6 the motion.

7 CHAIRMAN STEEN: Okay. Let's go ahead and do
8 the vote. All those in favor please signify by saying
9 aye.

10 (A chorus of ayes.)

11 CHAIRMAN STEEN: Any opposed?

12 (No response.)

13 CHAIRMAN STEEN: Motion carries.

14 Okay. Mr. Wilson, go ahead, if you like, on
15 the two items. I believe they're both related to your
16 request.

17 MR. ELROD: Now he's muted himself.

18 COMMISSIONER PATE: Mr. Chairman, this is
19 Robert Pate again. This was an item of substantial
20 discussion when we had our Horse Industry Escrow Account
21 Committee meeting a week or two ago.

22 And I'm trying to recall, Commissioner
23 Kleinschmidt, I think we disagreed. I felt like the
24 payment -- well, I don't quite remember the circumstances
25 of this miscalculation, and I'd like to have that

1 explained to me again by either Devon or Mr. Wilson.

2 MS. BIJANSKY: I'll defer to Mr. Wilson unless
3 he's not back with us yet.

4 MR. ELROD: He appears to be with us, but he's
5 muted himself now.

6 MS. BIJANSKY: I believe it was \$30,000 that
7 the Commission approved and disbursed last year for ATB
8 awards for the 2020 Sam Houston meet. And so at the end
9 of that meet, if you look at how many winners that they
10 had over the various categories, owners, breeders and
11 stallion owners, and there's a formula for calculating
12 that money across all those winners.

13 Well, for various reasons that I don't recall
14 the specifics of, they had the wrong numbers of total
15 winners. And so when they did those calculations, they
16 essentially gave everybody a little bit too much because
17 there were a few people who they didn't have on their
18 radar to include.

19 So those people came out of the woodwork and
20 said, Oops, we were supposed to have been paid as well.
21 That apparently totals \$4,300.

22 We discussed at the committee meeting whether
23 those excess amounts could be recouped from the winners.
24 Mr. Wilson said that they used to do it that way; it's
25 kind of a pain. They're choosing instead to try to get

1 that from the fund to cover those expenses.

2 Mr. Wilson, if you're back, you're welcome to
3 add to or correct anything I've said.

4 CHAIRMAN STEEN: Commissioners Kleinschmidt or
5 Pate, did you have a recommendation? Sounds like -- I
6 don't know if that was sufficient, Mr. Pate.

7 MR. WILSON: Am in on this call?

8 (Audio interference.)

9 COMMISSIONER KLEINSCHMIDT: You've got a really
10 bad connection.

11 MR. WILSON: Can you hear me?

12 CHAIRMAN STEEN: Mr. Wilson, you're on if you
13 want to proceed.

14 MR. WILSON: Hello, hello.

15 COMMISSIONER KLEINSCHMIDT: Mr. Wilson, we can
16 hear you.

17 This is Kleinschmidt. I don't hear Mr. Wilson
18 anymore, but until he gets back on, let me proceed.

19 This is Kleinschmidt. My concern with this is
20 this is going backwards and essentially increasing a prior
21 grant of funds. And admittedly it's a small amount of
22 money.

23 It's not very large. But I do think it
24 deserves discussion amongst the Commission from the
25 standpoint that, you know, one thing I think it puts --

1 MR. WILSON: I cannot hear you and I don't know
2 if you can hear me or not, but my phone for some reason
3 when we had the last lightning strike my phone went off. I
4 don't know if you can hear me or not.

5 COMMISSIONER KLEINSCHMIDT: I can hear Mr.
6 Wilson. He may not be able to hear us.

7 Okay. This is Kleinschmidt again. I'll
8 proceed.

9 I have some worries about going backwards and
10 increasing a prior award or grant in that this particular
11 request is small amount of money, but we will be setting a
12 precedent to go back and increase awards. I think it does
13 increase the burdens on the Commission staff to track the
14 amounts of awards that are going out, amount of grants
15 that are going out.

16 And I'm worried that potentially if it were
17 large enough that it could cause -- I mean, we base the
18 division of these monies, I think, are based upon the
19 agreements between the breeds as to the amount of monies
20 in a certain format of allocation. And I do worry that if
21 it was a larger request that it could exceed, you know,
22 those prior determined allocations. So I do worry about
23 the complications that it could, you know, cause the
24 agency due to a request to increase a past award.

25 I have some worries about when we're sending

1 money out for a past event whether this truly is an event
2 or not, but that's not quite as --

3 MR. WILSON: Mr. Wilson, my phone went off, I
4 don't know what happened here. I can't get you on the
5 computer. Could I explain what happened on this?

6 CHAIRMAN STEEN: Mr. Wilson, it sounds as if
7 you're on your computer and your phone. Potentially
8 that's causing an echo.

9 MR. WILSON: Okay. I'll be on my phone then.
10 Can you hear me now?

11 CHAIRMAN STEEN: Yes, we can hear you.

12 MR. WILSON: What happened on this was the
13 horse was bred in New England and because of health
14 reasons the horse was given to another person and she
15 changed the name of the horse when she accredited it.
16 Then had the horse operated on and then decided to run it.

17 When he came through on the computer, I did not
18 recognize it as an accredited horse because it was
19 accredited under a different name. So nothing was said
20 all of last year whatsoever. No one knew anything about
21 it.

22 Well, this year the horse started running
23 again, and he ran at Sam Houston. And in March the fellow
24 that originally bred the horse called me and wanted to
25 know if he happened to have accredited that horse because

1 he sells a lot of horses overseas, and he didn't remember
2 whether he accredited it or didn't accredit it. Because
3 he did part of them and didn't do part of them.

4 And he asked me if he had accredited this horse
5 and give me what the original accreditation name was. And
6 I looked it up and sure enough the horse had been
7 accredited in New England. Well, the information he gave
8 me was that he was to keep the breeder's and owner's
9 awards for the horse for having given her the horse.

10 Well, this year when she found out that the
11 horse had run, and in the meantime, she sold the horse to
12 another person. And this year the horse ran at Sam
13 Houston and won, and this particular owner called me and
14 asked me if that was an accredited horse. And I told him
15 yes, and I told him what the situation was -- my
16 understanding on the agreement with her and the original
17 breeder.

18 She then filed a protest with me and asked to
19 have a hearing. And according to our rules that if
20 anybody filed a protest on a payout, they have the right
21 to appeal to the board. She appealed to the board.

22 Jean Cook at the agency there was in on it so
23 aware of what all that was going on on this. Jean and I
24 talked about it. She had written it. Jean was in
25 agreement that we were handling it in the way that it

1 should be handled.

2 The board met and they decided actually she was
3 the owner of the horse and that the breeder of the horse
4 should have notified her that the horse was accredited
5 when he discovered it was this year, and therefore, she
6 was eligible for the award. The awards were all paid out
7 last year at the end of the regular 2020 meet, so the
8 board ruled that she should have got the money.

9 Well, 1099s had gone to all the owners,
10 breeders and had already gone out to all these, and to try
11 to correct that and go back and get money to try to pay
12 this off was very hard to do. In the meantime, the new
13 owner -- the owner of the horse that had actually run and
14 I found that there was a race that last year had run at
15 Sam Houston that I did not have recorded as having been
16 run. It happened that all three horses in that race, the
17 first, second, and third place winners, were accredited
18 Texas-bred horses.

19 So what all I'm doing here is asking that I can
20 have enough money to pay these people what they rightly
21 earned. And that's all I'm asking for, and the amount is
22 42,000 -- 4,200-and-something dollars. Really it's a
23 supplement to what we paid last year.

24 This is the first time in 20-something years
25 we've ever had any kind of protest on anything on that.

1 Normally at the end of each meet, I sit down with the
2 track racing secretary. We go over the races that was run
3 that year by Arabians, because they do not run every night
4 and sometimes they run on an odd night or they may for
5 some reason run two races in one night and I may miss it.

6 I might have missed it. Normally I have not
7 done that, but nevertheless, I did miss this race. I
8 can't tell you if I missed it or whether we just both
9 missed it because it was run right at the end of the meet,
10 towards the end of the meet there when everything was
11 shutting down and all that.

12 So I'm asking -- all I'm doing here is asking
13 for information -- I mean for money to pay those people
14 what they rightfully earned. It's always a problem with
15 escrow -- and according to the escrow funds, I have
16 emergency funds that we are able to carry with the
17 incentive funds. They will receive that.

18 It has nothing to do with the regular incentive
19 fund. This is strictly Horse Industry Escrow Account
20 money totally.

21 Can you hear me? Have I been speaking for
22 nothing?

23 COMMISSIONER PATE: No. We heard you.

24 MR. WILSON: Okay. On that one -- and that's
25 all I'm asking for, is just the money to do that. It

1 doesn't have nothing to do with the regular incentive
2 program funds at all.

3 It was an honest mistake. I don't know whether
4 me and the track both made it at the end of the year when
5 we missed that meet, or whether I just missed it alone. I
6 cannot tell you. That was a year ago.

7 And the other one was a grievance that was not
8 filed until this year after everything was over with. And
9 it went through the proper channels of how it should have
10 been handled, and the board agreed to pay her -- go back
11 and she should get the owner's award for that particular
12 meet. And so that's just what I'm asking for on that.

13 The Region 9 show, this is exactly what we did
14 last year. We had a bigger budget plan and the virus cut
15 in and a lot of things were changed tremendously. We cut
16 back strictly to advertising which pushed and promoted the
17 Arabian racing primarily. And the Region 9 director, I
18 talked with her and they were very pleased with what went
19 on with it.

20 This is a show which will have probably 650 --
21 they average about 650 horses per show. This is one of 18
22 regions in the United States in which horses come to
23 compete to make themselves eligible for the national
24 championship.

25 They have a daily attendance of something like

1 2,000 people. She said we'll average about 2,000. They
2 have a little more on weekends, less on some of the days
3 it runs -- the show runs basically a week. And I talked
4 with her about it, we're looking to do the same show.

5 For some reason, Devon asked me to send her a
6 copy of the information, the advertisement we were going
7 to use over there. And we have not -- no money has been
8 appropriated to do it with so I did not ask anybody for
9 anything yet. They do have some thoughts in it but have
10 not prepared any.

11 When she called and asked me to send her this
12 information, I reached out to our vice president who is in
13 charge of this particular aspect of it to tell him. And
14 he in turn -- he was in Delaware. There was a big race up
15 that way at Pimlico and he was up there for that.

16 He asked the lady that does our advertising for
17 us and she sent her some clips -- I did not look at them
18 when they came through, I was busy at the time with some
19 other things and I did not take time to look at them. But
20 I forwarded them on to Devon to look at.

21 And I don't know, this is the first time I've
22 ever been asked to send materials for approval to put out
23 in a show or to use it anywhere, but nevertheless, I
24 was. And we reach out to a lot of people there at this
25 show and I just don't understand why we would be

1 questioned about it.

2 CHAIRMAN STEEN: Thank you, Mr. Wilson.

3 COMMISSIONER KLEINSCHMIDT: This is
4 Kleinschmidt again.

5 You know, I know this is a small amount of
6 money for this correction on the purses, but I do want to
7 point out that, you know, I think it's about 15 percent of
8 the original request in amount. And so obviously if we
9 were doing a \$300,000 original award, and we dealt with 15
10 percent there, you'd be talking about a \$45,000 request
11 here. So I'm just pointing out that whatever we do here,
12 it does set something of a precedence for the future, and
13 so I am wanting to look at that.

14 I'm also wondering -- and again, it's a small
15 amount, but if this were a large enough amount to have
16 changed the allocations that I believe the breed
17 associations have basically agreed to, would we be
18 reaching out to the breed associations to get some kind of
19 confirmation that they had no objection to us in essence
20 changing their formulas that were pre-agreed to?

21 And so I'm just throwing those out there for
22 consideration. Because it would be easy to consent to
23 this because it's a small amount, but I'm a little worried
24 about the precedent that we're setting. I don't think
25 I've seen any input from any of the other breed

1 associations saying we have an objection if the Commission
2 were to approve this request to increase that award, but I
3 wonder if we would have objections from the breed
4 associations if it was a larger amount and it did change
5 their basic allocations agreed to.

6 MR. WILSON: There was a million 200,000 that
7 was unused last year, so if we use the same as we did last
8 year, there will be another million 250,000. So we're
9 looking at about \$2-1/2 million there that was unallocated
10 last year. Like if you look at the percentages, we used
11 less than half of what the Paint Horses used, and then if
12 you go into the Thoroughbreds and Quarter Horses which
13 used a lot more, which we understood they would, so I
14 don't think I'm out of line asking for this.

15 We only used about half -- really about a
16 third, just a little over a third of what the Paint Horse
17 used. And then there was that much money left over, so I
18 don't really feel like I'm out of line.

19 COMMISSIONER KLEINSCHMIDT: Mr. Wilson, this is
20 Kleinschmidt. I don't think you're out of line making the
21 request, I just think it's a first impression to this
22 particular group, this Commission.

23 And even though it's a small amount, I think it
24 deserves consideration of the Commission because whatever
25 we do here, it could be carried forwards to a mistake made

1 on a much larger amount of money in the future. And
2 whatever we do here, we could be faced with a request that
3 may be ten times this amount in the future based on a
4 larger amount of money, and so I just think it needs to be
5 discussed by the Commission before it's acted upon.

6 COMMISSIONER PATE: This is Robert Pate. I
7 would really join with Commissioner Kleinschmidt's
8 concerns about this particular amount. And that is kind
9 of correcting the mistake that was made internally by the
10 organization, I'm not sure that we really ought to endorse
11 it.

12 I will also say, just kind of the elephant in
13 the room here, we may not really be here to make these
14 kind of decisions if there was an error like this in the
15 future, so I'm not sure what precedential value this
16 decision may or may not have, but I would join. Just as a
17 matter of philosophy, I think that if we're awarding
18 money, we gave an amount, they were going to allocate the
19 \$30,000. Now what they're really saying is, well, we
20 misallocated it and we want you to give us -- we want you
21 to cover the error. And so that's just where I would come
22 out and I would vote on this one.

23 On the other one, on the Arabians with respect
24 to this advertising, we had a considerable discussion
25 during the Horse Industry Account meeting, and as I

1 recall, Commissioner Kleinschmidt and I disagreed slightly
2 on it. I felt like the nature of the advertising and the
3 forward-looking of the advertising that was being proposed
4 was okay, and I think that Commissioner Kleinschmidt, as
5 well as staff, felt like it needed to be more
6 particular. But to me it was occurring during an event,
7 and the purpose of the advertising was to talk about other
8 events that might exist within the Arabian arena.

9 So I personally I would vote in favor of that
10 amount and I would vote against the fixing of the
11 misallocation of funds. But that's kind of where I am
12 after our accounts, and I'll let other commissioners or
13 others have their say now.

14 COMMISSIONER EDERER: Hasn't this already been
15 voted upon? And Kleinschmidt, in your motion didn't you
16 set out that those two particular items had to be
17 readdressed by the people that had submitted them?

18 And so therefore, everything that is on the
19 table has been taken care of except those two items, and
20 it's up to the people that are supposed to submit them to
21 correct them and resubmit them to us. Isn't that where we
22 sit at this present time?

23 COMMISSIONER PATE: I thought we were
24 considering those separately, Commissioner Ederer.

25 COMMISSIONER EDERER: I thought they had

1 already been voted upon and been directed to resubmit.

2 COMMISSIONER KLEINSCHMIDT: No. This is
3 Kleinschmidt. My motion just was to approve the other
4 awards separately and deal with these two, so I didn't
5 include these two items as far as in my motion. They were
6 to be dealt with separately.

7 COMMISSIONER EDERER: All right. Well, then
8 I'll make a motion that everything be approved except
9 these two particular items, and the people that are
10 submitting them to properly submit and explain why they
11 want what they want so that we can vote on them with full
12 knowledge. Call for a vote now.

13 COMMISSIONER PATE: Commissioner Ederer, I
14 think I'd prefer if you'd call for a vote on these
15 particular items. I think they haven't been voted on.

16 And in fairness, we instructed Devon, and I
17 think she did consult with the Arabians about these
18 proposals to try to clean them up a little bit before they
19 were presented here, and apparently there was really no
20 progress made on the \$4,300, the misallocation.

21 On the other one, it sounds as though there was
22 a request for some information and there was some
23 information provided. That's, I think, where we are.

24 CHAIRMAN STEEN: And to add to that,
25 Commissioner Ederer, I think Devon's recommendation on the

1 advertising item was for the Arabians to follow up with --
2 or staff recommendation, I should say, was to follow up
3 with some more information on that aspect.

4 Is that correct, Devon?

5 MS. BIJANSKY: That's correct.

6 COMMISSIONER KLEINSCHMIDT: This is
7 Kleinschmidt, and don't mean to impose. I think
8 Commissioner Ederer may have a motion out there but I
9 would like --

10 COMMISSIONER EDERER: I'll withdraw the motion
11 and if you would go ahead and submit what you believe the
12 motion should be and let's go forward with that.

13 COMMISSIONER KLEINSCHMIDT: Okay. I'll move
14 that we request that the Arabians resubmit the request
15 that involves advertising. I think that's the Region 9
16 Arabian request that involves advertising that staff
17 requests further information on. I move that we table
18 that for now until they can get with Devon and expand on
19 that.

20 Is that a correct thing to do at this point in
21 time, move to table that particular item, Devon?

22 MS. BIJANSKY: It is if you want to revisit it
23 at your next meeting, or if you would like to ask Mr.
24 Wilson or the Arabian folks to resubmit for Chuck's
25 consideration, we could go that way and that decision

1 might be available sooner.

2 COMMISSIONER KLEINSCHMIDT: Okay. Well, I'll
3 just move then that they resubmit the Region 9 Arabian
4 request that involves advertising in question, that they
5 resubmit that to staff.

6 COMMISSIONER PATE: For Chuck's administration
7 as a less than \$50,000 item, Tim?

8 COMMISSIONER KLEINSCHMIDT: Yes. I agree that
9 it comes under that. If they satisfy staff, he would be
10 able to administratively approve that one.

11 COMMISSIONER PATE: I'll second that motion.

12 CHAIRMAN STEEN: Motion made by Kleinschmidt,
13 seconded by Pate. Any further discussion on that item?

14 (No response.)

15 CHAIRMAN STEEN: If not, we'll take it up for a
16 vote. All those in favor please signify by saying aye.

17 (A chorus of ayes.)

18 CHAIRMAN STEEN: Any opposed?

19 (No response.)

20 CHAIRMAN STEEN: Motion carries.

21 Kleinschmidt, did you want to follow up with a
22 motion on the second item?

23 COMMISSIONER KLEINSCHMIDT: Yes, I will. As to
24 the Arabian request for additional funds on the \$30,000
25 award and the application for \$4,272.39 in additional

1 funds, I would move to not approve that request.

2 COMMISSIONER PATE: Second.

3 CHAIRMAN STEEN: Motion made by Kleinschmidt,
4 seconded by Pate. Any further discussion?

5 (No response.)

6 CHAIRMAN STEEN: If not, we'll take that up for
7 a vote. All those in favor please signify by saying aye.

8 (A chorus of ayes.)

9 CHAIRMAN STEEN: Any opposed?

10 (No response.)

11 CHAIRMAN STEEN: That motion carries.

12 I believe that finishes with that item. Am I
13 correct, Devon?

14 MS. BIJANSKY: That's correct.

15 CHAIRMAN STEEN: There will be no executive
16 session today.

17 COMMISSIONER EDERER: Mr. Chairman, I have a
18 question.

19 CHAIRMAN STEEN: Go ahead.

20 COMMISSIONER EDERER: I'd like to ask if there
21 is any update on legislation. Devon, do you have that?
22 We'd like to know what we're doing. Are we going to be
23 here next month, are we going away, what's happening?

24 MS. BIJANSKY: I would love to know at least as
25 much as you. I'll send updates as I have them, but I

1 really don't have anything to report at this point.

2 COMMISSIONER EDERER: Are they doing anything
3 in Austin other than passing gun legislation so we can all
4 carry guns up and down the street?

5 MS. BIJANSKY: They seem to be very busy, yes.

6 CHAIRMAN STEEN: Okay. The next meeting is
7 tentatively scheduled for July 20. Staff will update us
8 with that if that changes.

9 COMMISSIONER EDERER: Where will that meeting
10 be? Will that meeting be videoconference or will we be
11 together again in Austin?

12 CHAIRMAN STEEN: I'll leave it to staff to make
13 a recommendation on that at the time.

14 MS. BIJANSKY: We don't know that yet. We're
15 currently operating --

16 CHAIRMAN STEEN: Go ahead, Devon.

17 MS. BIJANSKY: We're currently operating under
18 the governor's suspension of the requirement that we meet
19 in person, so if that order expires by the time of the
20 next meeting, we can meet in person. If legislation
21 passes to allow virtual meetings under normal
22 circumstances and is already effective by that time, we
23 would then have the option of meeting virtually, and so it
24 would really up to agency leadership to decide. But
25 currently we don't know.

1 COMMISSIONER MACH: Mr. Chairman, the Public
2 Safety Commission hasn't been meeting for months in
3 person, so I'm not aware that the Texas Racing Commission
4 is under any restriction. They certainly have the
5 latitude not to meet in person.

6 MS. BIJANSKY: Correct.

7 COMMISSIONER PATE: I think we ought to meet in
8 person if we can.

9 COMMISSIONER EDERER: If we're still around.

10 COMMISSIONER PATE: I think we'll be around
11 until September or early next year anyway.

12 CHAIRMAN STEEN: So staff will confer and
13 discuss on the status of the July 20 meeting whether in
14 person or online.

15 With no further business, the time is now
16 12:34. We are adjourned.

17 (Whereupon, at 12:34 p.m., the meeting was
18 adjourned.)

C E R T I F I C A T E

MEETING OF: Texas Racing Commission

LOCATION: via GoToMeeting

DATE: May 18, 2021

I do hereby certify that the foregoing pages,
numbers 1 through 49, inclusive, are the true, accurate,
and complete transcript prepared from the verbal recording
made by electronic recording by Nancy H. King before the
Texas Racing Commission.

DATE: May 24, 2021

/s/ Nancy. H. King
(Transcriber)

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